## No. 78

# **MICHIGAN SENATE**

## DAILY CALENDAR

TUESDAY, SEPTEMBER 5, 2006 12:00 noon

## **MOTIONS** SB **246** Sen. Emerson School aid; fiscal year appropriations; minimum funding level for K-12 education; provide for. Amends title & sec. 11 of 1979 PA 94 (MCL 388.1611) & adds secs. 12 & 147a. Motion to discharge Committee on Appropriations pending. MESSAGES FROM THE GOVERNOR SB 272 Sen. Switalski Appropriations; general government; general government; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed, Wednesday, September 28, 2005. For veto message, see Senate Journal No. 87 of 2005, page 1760. Vetoed line items pending. \_\_\_\_ 3 \_\_\_\_ SB 271 Sen. Scott Appropriations; human services; department of human services; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed, Wednesday, September 28, 2005. For veto message, see Senate Journal No. 87 of 2005, page 1760. Vetoed line items pending. SB 264 Sen. Barcia Appropriations; agriculture; department of agriculture; provide for fiscal year 2005-2006. Creates appropriation act.

Approved by Governor, with line items vetoed,

For veto message, see Senate Journal No. 87 of 2005,

Wednesday, September 28, 2005.

Vetoed line items pending.

page 1761.

MESSAGES FROM THE GOVERNOR

SB 274 Sen. Clarke

Appropriations; history, arts, and libraries; department of history, arts, and libraries; provide for fiscal year 2005-2006.

\_\_\_\_ 5 \_\_\_\_\_

Creates appropriation act.

Approved by Governor, with line items vetoed, Thursday, September 29, 2005.

For veto message, see Senate Journal No. 87 of 2005, page 1762.

Vetoed line items pending.

281 Sen. Barcia

SB

SB

Appropriations; transportation; state transportation department; provide for fiscal year 2005-2006.

— 6 —

Creates appropriation act.

Approved by Governor, with line items vetoed, Friday, September 30, 2005.

For veto message, see Senate Journal No. 87 of 2005, page 1762.

Vetoed line items pending.

SB 175 Sen. Brown

Economic development; other; tax incentives for distribution and warehousing facilities; provide for.

Amends sec. 2 of 1974 PA 198 (MCL 207.552).

Vetoed by Governor, Thursday, November 17, 2005. For veto message, see Senate Journal No. 105 of 2005, page 2258.

Veto pending.

236 Sen. Johnson

Appropriations; zero budget; capital outlay; provide for fiscal year 2005-2006 and to make, supplement, and adjust appropriations for certain state departments for fiscal years 2005 and 2006.

Creates appropriation act.

Approved by Governor, with line items vetoed, Monday December 19, 2005.

For veto message, see Senate Journal No. 1, page 5. Vetoed line items pending.

SB 892 Sen. Hardiman

Human services; employment and training; work first participation requirements; revise.

\_\_\_ 9 \_\_\_\_\_

Amends sec. 57f of 1939 PA 280 (MCL 400.57f) & adds secs. 57s, 57t, 57u & 57v.

Vetoed by Governor, Tuesday, December 27, 2005. For veto message, see Senate Journal No. 1, page 6. Veto pending.

## MESSAGES FROM THE GOVERNOR — 10 ——— SB 893 Sen. Cropsey SB 1028 Sen. Sanborn Human services; services or financial assistance; sanctions for noncompliance; revise. Amends 1939 PA 280 (MCL 400.1-400.119b) by adding secs. 57q & 57r. Vetoed by Governor, Tuesday, December 27, 2005. For veto message, see Senate Journal No. 1, page 6. Veto pending. SB 956 Sen. Stamas Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line item vetoed, Friday, For veto message, see Senate Journal No. 10, page Vetoed line item pending. \_\_\_\_\_ 12 \_\_\_\_\_ SB 957 Sen. Cassis Single business tax; credit; alternative tax rate and percentage reduction in tax liability; revise. Amends sec. 36 of 1975 PA 228 (MCL 208.36). Vetoed by Governor, Friday, February 3. For veto message, see Senate Journal No. 10, page Veto pending. \_\_\_\_ 13 \_\_\_\_\_ SB 179 Sen. Stamas Labor; youth employment; youth employment standards; revise maximum number of hours a minor may work. Amends sec. 11 of 1978 PA 90 (MCL 409.111). Vetoed by Governor, Friday, March 3. For veto message, see Senate Journal No. 22, page 372. Veto pending. **1026** Sen. Hardiman Administrative procedure; rules; rule or exception to a

rule; clarify in regard to the presence or lack of a collective bargaining agreement with employees.

Amends sec. 32 of 1969 PA 306 (MCL 24.232).

Vetoed by Governor, Thursday, March 23.

For veto message, see Senate Journal No. 31, page 565.

Veto pending.

1027 Sen. Cropsey

Human services; adult foster care; promulgating rules, or establishing guidelines or policies that grant preferences in licensure to regulated facilities that have collective bargaining agreements with employees; prohibit.

Amends sec. 10 of 1979 PA 218 (MCL 400.710).

Vetoed by Governor, Thursday, March 23.

For veto message, see Senate Journal No. 31, page

Veto pending.

#### MESSAGES FROM THE GOVERNOR

Human services; other; promulgating rules, or establishing guidelines or policies that grant preferences in licensure to regulated facilities that have collective bargaining agreements with employees; prohibit.

Amends secs. 1 & 6 of 1939 PA 280 (MCL 400.1 & 400.6).

Vetoed by Governor, Thursday, March 23.

For veto message, see Senate Journal No. 31, page 565.

Veto pending.

**SB 372** Sen. Toy

Local government; public services; certain city managed water and sewer systems; provide for regionalization of.

\_\_\_\_\_ 17 \_\_\_\_\_\_

Creates new act.

Vetoed by Governor, Friday, March 31.

For veto message, see Senate Journal No. 34, page

Veto pending.

SB 973 Sen. Hammerstrom

Elections; election officials; state board of canvassers and director of elections; revise duties concerning ballot question language.

\_\_\_\_\_ 18 \_\_\_\_\_

Amends sec. 32 of 1954 PA 116 (MCL 168.32) & repeals sec. 22e of 1954 PA 116 (MCL 168.22e).

Vetoed by Governor, Friday, May 12.

For veto message, see Senate Journal No. 46, page 981.

\_\_\_\_\_ 19 \_\_\_\_\_

Veto pending.

SB 974 Sen. Kuipers

> Elections; election officials; state board of canvassers and director of elections; revise duties concerning ballot question petitions.

Amends sec. 474 of 1954 PA 116 (MCL 168.474).

\_\_\_\_ 20 \_\_\_\_

Vetoed by Governor, Friday, May 12.

For veto message, see Senate Journal No. 46, page

Veto pending.

975 Sen. Bishop SB

Elections; election officials; state board of canvassers and director of elections; revise duties concerning ballot ques-

Amends sec. 474a of 1954 PA 116 (MCL 168.474a).

Vetoed by Governor, Friday, May 12.

For veto message, see Senate Journal No. 46, page

Veto pending.

#### MESSAGES FROM THE GOVERNOR

— 21 ———

#### **SB** 976 Sen. Cropsey

Elections; election officials; state board of canvassers and director of elections; revise duties concerning ballot question petitions.

Amends sec. 476 of 1954 PA 116 (MCL 168.476).

Vetoed by Governor, Friday, May 12.

For veto message, see Senate Journal No. 46, page 981.

Veto pending.

\_\_\_\_ 22 \_\_\_\_\_

#### SB 242 Sen. Johnson

Appropriations; zero budget; supplemental appropriations; provide for fiscal year 2004-2005.

Creates appropriation act.

Approved by Governor, with line items vetoed, Thursday, May 25.

For veto message, see Senate Journal No. 52, page 1138.

Vetoed line items pending.

\_\_\_\_ 23 \_\_\_\_\_

#### SB 297 Sen. Cropsey

Vehicles; motorcycles; requirement of wearing crash helmets; provide exceptions under certain circumstances.

Amends sec. 658 of 1949 PA 300 (MCL 257.658).

Vetoed by Governor, Friday, June 23.

For veto message, see Senate Journal No. 64, page 1446.

Veto pending.

\_\_\_\_ 24 \_\_\_\_\_

#### SB 1085 Sen. Scott

Appropriations; education; department of education; provide for fiscal year 2006-2007.

Creates appropriation act.

Approved by Governor, with line items vetoed, Thursday, August 10.

For veto message, see Senate Journal No. 77, page 1989.

Vetoed line items pending.

\_\_\_\_ 25 \_\_\_\_\_

## SB 1086 Sen. Barcia

Appropriations; environmental quality; department of environmental quality; provide for fiscal year 2006-2007.

Creates appropriation act.

Approved by Governor, with line items vetoed, Tuesday, August 15.

For veto message, see Senate Journal No. 77, page 1990.

Vetoed line items pending.

\_\_\_\_ 26 \_\_\_\_\_

#### SB 1094 Sen. Barcia

Appropriations; natural resources; department of natural resources; provide for fiscal year 2006-2007.

Creates appropriation act.

Approved by Governor, with line items vetoed, Tuesday, August 15.

For veto message, see Senate Journal No. 77, page

Vetoed line items pending.

#### MESSAGES FROM THE HOUSE

\_\_\_\_ 27 \_\_\_\_\_

## SB 435 Sen. Barcia

Gaming; bingo; miscellaneous amendments to the bingo act; enact.

Amends secs. 3, 3a, 5, 5b, 5c, 8, 10, 10a & 11b of 1972 PA 382 (MCL 432.103 et seq.).

I.E. House, June 29, 2006.

Returned from House with House substitute (H-1), Wednesday, July 26; laid over under the rules.

Committee recommended I.E.

\_\_\_\_\_ 28 \_\_\_\_\_

#### SB 640 Sen. Thomas

Income tax; other; individual or family development account program; create.

Creates new act.

I.E. House, July 26, 2006.

Returned from House with amendments, Wednesday, August 9; laid over under the rules.

For House amendments, see Senate Journal No. 73, page 1929.

Committee recommended I.E.

#### THIRD READING OF BILLS

**—** 29 **—** 

#### SB 102 Sen. Cropsey

Corrections; state facilities; Ionia maximum correctional facility; rename to Jack Welborn correctional facility.

Amends 1953 PA 232 (MCL 791.201 - 791.283) by adding sec. 20d.

Reported by Committee on Judiciary.

Committee recommended I.E.

\_\_\_\_\_ 30 \_\_\_\_\_

## SB 337 Sen. Allen

Single business tax; credit; tax credit for historical buildings; create and limit issuance of.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 35c.

Reported by Committee on Commerce and Labor. Senate substitute (S-2).

Committee recommended I.E.

\_\_\_\_ 31 \_\_\_\_

## SB 1268 Sen. George

Property tax; exemptions; acreage limitation on exemption for certain organizations and associations; eliminate.

Amends sec. 7q of 1893 PA 206 (MCL 211.7q).

Reported by Committee on Finance.

Senate substitute (S-2).

Committee recommended I.E.

#### THIRD READING OF BILLS

<del>\_\_\_ 32 \_\_\_\_\_</del>

#### HB 4849 Rep. Schuitmaker

Occupations; real estate; real estate broker responsibilities under exclusive service provision agreements; clarify.

Amends sec. 2512 of 1980 PA 299 (MCL 339.2512) & adds sec. 2512d.

I.E. House, October 5, 2005.

House substitute (H-1).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

— 33 *—* 

#### **HB** 4850 Rep. Green

Occupations; real estate; real estate broker responsibilities under an exclusive service provision agreement; provide as part of agency disclosure.

Amends sec. 2517 of 1980 PA 299 (MCL 339.2517).

I.E. House, October 5, 2005.

House substitute (H-1).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

— 34 —

#### SB 891 Sen. Hardiman

Family law; child support; collection duties for certain state departments; establish.

Amends title & secs. 1, 3, 13 & 28 of 1941 PA 122 (MCL 205.1 et seq.) & repeals 1927 PA 375 (MCL 14.131 - 14.134).

Reported by Committee on Families and Human Services.

Senate substitute (S-2).

Committee recommended I.E.

#### **GENERAL ORDERS**

\_\_\_\_\_\_35 \_\_\_\_\_

## SB 196 Sen. Jelinek

Legislature; legislators; legislator to substitute teach in public schools without pay; allow.

Amends secs. 1230, 1230a & 1233 of 1976 PA 451 (MCL 380.1230 et seq.).

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

— 36 ——

## **HB** 4481 Rep. Gaffney

Elections; voting procedures; certain restrictions on requests for registration or absentee ballots; revise.

Amends sec. 759a of 1954 PA 116 (MCL 168.759a) & repeals sec. 504 of 1954 PA 116 (MCL 168.504).

I.E. House, April 19, 2005.

House substitute (H-1).

Reported by Committee on Government Operations.

Senate substitute (S-1).

Committee recommended I.E.

#### **GENERAL ORDERS**

— 37 ———

#### SB 183 Sen. McManus

Vehicles; equipment; use of child safety restraint system or booster seat for certain children; require.

Amends sec. 710e of 1949 PA 300 (MCL 257.710e).

Reported by Committee on Transportation.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 38 \_\_\_\_\_

## SB 262 Sen. George

Vehicles; equipment; waiver of fines for certain child car restraint system violations; provide for under certain circumstances.

Amends sec. 907 of 1949 PA 300 (MCL 257.907).

Reported by Committee on Transportation.

Committee recommended I.E.

<del>\_\_\_\_</del> 39 <del>\_\_\_\_\_</del>

#### **SB** 314 Sen. Hammerstrom

Vehicles; equipment; child restraint safety seat; require to be in rear seat if vehicle has rear seat and remove nursing child exemption.

Amends sec. 710d of 1949 PA 300 (MCL 257.710d).

Reported by Committee on Transportation.

Committee recommended I.E.

## SB 491 Sen. Kuipers

Traffic control; violations; penalties for failure to properly restrain a child less than 16 years of age in a vehicle; increase for second or subsequent violations.

Amends sec. 907 of 1949 PA 300 (MCL 257.907).

Reported by Committee on Transportation.

Senate substitute (S-1).

Committee recommended I.E.

## SB 1041 Sen. Birkholz

Vehicles; equipment; use of rear seat child safety restraint system for children 12 and under; require under certain circumstances.

Amends sec. 710e of 1949 PA 300 (MCL 257.710e).

Reported by Committee on Transportation.

Committee recommended I.E.

42

## **HB** 5292 Rep. Mortimer

Insurance; other; guaranty association; provide for general amendments.

Amends secs. 7911, 7918, 7921, 7925, 7931, 7941, 7945, 8111, 8124 & 8134 of 1956 PA 218 (MCL 500.7911 et seq.) & adds secs. 8124a, 8125a & 8133a.

I.E. House, November 29, 2005.

House substitute (H-1).

Reported by Committee on Banking and Financial Institutions.

Senate substitute (S-1).

Committee recommended I.E.

#### **GENERAL ORDERS**

#### SB 1189 Sen. Goschka

State; bonds; bond cap in the state building authority; increase.

Amends sec. 8 of 1964 PA 183 (MCL 830.418).

Reported by Committee on Appropriations.

**Committee recommended I.E.** 

## SB 229 Sen. Hammerstrom

Insurance; health care corporations; coverage for certain mental health and substance abuse treatment; provide that coverage cannot be more restrictive than coverage for medical treatment.

Amends 1980 PA 350 (MCL 550.1101 - 550.1704) by adding sec. 416e.

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

45 —

## SB 230 Sen. Hammerstrom

Insurance; health; coverage for certain mental health and substance abuse treatment; provide that coverage cannot be more restrictive than coverage for medical treatment.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 3406s.

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

<del>------</del> 46 <del>-------</del>

## SB 1129 Sen. McManus

State; boundaries; water and land boundaries; require state agencies to include in depictions of state.

Amends 1899 PA 44 (MCL 24.1 - 24.37) by adding sec. 39.

Reported by Committee on Local, Urban and State Affairs.

Senate substitute (S-1).

Committee recommended I.E.

#### SB 1289 Sen. Hammerstrom

Mental health; other; provision relating to appointment of community mental health board; repeal.

Repeals sec. 216 of 1974 PA 258 (MCL 330.1216).

Committee on Health Policy discharged, Thursday, June 22.

## HB 6014 Rep. Elsenheimer

Higher education; private; general corporation act requirements applicable to educational corporations; exempt bible colleges.

Amends secs. 171, 172 & 185 of 1931 PA 327 (MCL 450.171 et seq.).

House substitute (H-5).

Reported by Committee on Education.

Committee recommended I.E.

#### **GENERAL ORDERS**

#### **HB** 6016 Rep. Palmer

Higher education; private; state regulation of educational programs leading to diplomas, certificates, or degrees; exempt bible colleges.

Amends title & secs. 1 & 2 of 1964 PA 142 (MCL 390.771 & 390.772).

House substitute (H-2).

Reported by Committee on Education.

Committee recommended I.E.

\_\_\_\_ 50 \_\_\_\_\_

## SB 1017 Sen. Jelinek

Retirement; public school employees; naming a second spouse as beneficiary if first spouse predeceases him or her and naming of spouse as beneficiary if marriage occurs after retirement allowance effective date; allow.

Amends secs. 85 & 91 of 1980 PA 300 (MCL 38.1385 & 38.1391).

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 51 \_\_\_\_

## SB 382 Sen. Bishop

Income tax; credit; donation to educational foundations and certain other educational organizations; provide for credit.

Amends sec. 260 of 1967 PA 281 (MCL 206.260).

Reported by Committee on Finance.

Committee recommended I.E.

## RESOLUTIONS

\_\_\_\_\_ 52 \_\_\_\_\_

#### SR 71 Sen. Schauer

A resolution to memorialize the President and the Congress of the United States to increase funding for home heating assistance to cope with the rise in natural gas costs expected this winter.

Reported by Committee on Technology and Energy. For text of resolution, see Senate Journal No. 90 of 2005, page 1932.

Adoption pending.

<del>\_\_\_\_ 53 \_\_\_\_\_</del>

## SCR 53 Sen. Sikkema

A concurrent resolution to honor the memory of John W. Fitzgerald, former member of the Michigan Senate and justice of the Michigan Supreme Court.

Motion to suspend rules postponed, Wednesday, July 26.

For text of resolution, see Senate Journal No. 71, page 1899.

Motion to suspend rules pending.

## SCHEDULED MEETINGS

**Health Policy -** Tuesday, September 5, 3:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-3543)

**Judiciary -** Tuesday, September 5, 1:00 p.m., Room 210, Farnum Building (373-3760)

Natural resources; forests; commercial forests; modify penalties for withdrawing lands from

commercial forest.

## **SCHEDULED MEETINGS**

**Legislative Retirement Board of Trustees -** Wednesday, September 6, 3:00 p.m., Room H-252, Capitol Building (373-0575)

Natural Resources and Environmental Affairs - Tuesday, September 12, 3:00 p.m., Room 110, Farnum Building (373-3447)

of agriculture; provide for fiscal year 2006-2007.	Brown Jelinek Barcia Garcia McManus Switalski	Hansen (C) Walker Brown  Acciavatti (C) Taub	Report A Senate	greed To House
of agriculture; provide for fiscal year 2006-2007.	Jelinek Barcia Garcia McManus	Walker Brown Acciavatti (C)		
of agriculture; provide for fiscal year 2006-2007.	Jelinek Barcia Garcia McManus	Walker Brown Acciavatti (C)		
2006-2007.	Barcia Garcia McManus	Brown Acciavatti (C)		
	McManus			
SB 1087 Appropriations; general government;	McManus			
SB 1087 Appropriations; general government; general government; provide for fiscal year 2006-2007.				
		Gonzales		
SB 1089 Appropriations; history, arts, and libraries;	George	Amos (C)		
department of history, arts, and libraries; provide for fiscal year 2006-2007.	McManus	Taub		
	Clarke	Cheeks		
provide for fiscal year 2000-2007.	Clarke	Checks		
SB 1090 Appropriations; human services;	Hardiman	Shaffer (C)		
department of human services; provide	Cropsey	Kahn		
for fiscal year 2006-2007.	Scott	Kolb		
SB 1091 Appropriations; judiciary; judiciary budget; provide for fiscal year	Cropsey	Steil (C)		
	Hardiman	Stewart		
2006-2007.	Prusi	Cushingberry		
SB 1092 Appropriations; labor and economic	Garcia	Brandenburg (C)		
growth; department of labor and economic	George	Amos		
growth; provide for fiscal year 2006-2007.	Prusi	Kolb		
SB 1093 Appropriations; military affairs and state	Brown	Caul (C)		
police; department of military and veterans	Stamas	Walker		
affairs; provide for fiscal year 2006-2007.	Clarke	Sak		
SB 1096 Appropriations; state police; department of state police; provide for fiscal year	Brown	Caul (C)		
	Stamas	Walker		
2006-2007.	Clarke	Sak		
SB 1097 Appropriations; transportation; state transportation department; provide for fiscal year 2006-2007.	Johnson	Taub (C)		
	Stamas	Acciavatti		
	Prusi	Hood		
IID 4215 Counties boards and commissions:	Cilhant	Lalar		
HB 4315 Counties; boards and commissions; county	Gilbert	LaJoy		
road commission; provide option to expand	Kuipers Basham	Hoogendyk Anderson		
membership or eliminate.	Dasiiaiii	Anderson		
HB 5453 Natural resources; forests; timber harvests on	Van Woerkom	Casperson		
state forestlands; restrict only if provided by	Gilbert	Hildenbrand		
state or federal law.	Brater	Sheltrown		
HB 5454 Natural resources; forests; commercial forests;	Van Woerkom	Elsenheimer		

Jelinek

Brater

Casperson

Sheltrown

## **BILLS IN CONFERENCE**

Bill No.	Brief Title	Conferees		Report Agreed To	
		Senate	House	Senate	House
HB 5455	Natural resources; forests; commercial forest	Van Woerkom	Huizenga		
	act; modify eligibility criteria.	Jelinek	Casperson		
		Brater	Sheltrown		
HB 5786	Appropriations; zero budget; Michigan	Garcia	Brandenburg		
	strategic fund; provide for fiscal year 2006-	McManus	Amos		
	2007.	Switalski	Kolb		
HB 5789	Appropriations; zero budget; multisection		Moolenaar		
	school aid bill; provide for fiscal year 2006-		Farhat		
	2007.		Plakas		